

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Roderic Gholston,

File No. 22-cv-1712 (ECT/DJF)

Plaintiff,

v.

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION**

City of Minnesota, Minnesota Police  
Department, and Andrew Schroeder,

Defendants.

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Magistrate Judge Dulce J. Foster issued a Report and Recommendation on October 3, 2022. ECF No. 8. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. § 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 8] is **ACCEPTED**.
2. This action is **DISMISSED** without prejudice.
3. Mr. Gholston's Application to Proceed in District Court Without Prepaying Fees or Costs [ECF No. 3] is **DENIED** as moot.
4. Mr. Gholston is ordered to pay the unpaid balance—\$273.79—of this action's statutory filing fee in the manner prescribed by 28 U.S.C. § 1915(b)(2), and the

Clerk of Court is ordered to provide notice of this requirement to the authorities at the institution where Mr. Gholston is now confined.

Date: October 25, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court